

## Message Text

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ORIGIN VO-03

INFO OCT-01 EA-07 INSE-00 ISO-00 H-02 CIAE-00 FBIE-00

NSAE-00 SCA-01 /014 R

DRAFTED BY SCA/VO:LLDEWITT/EA/PRCM:MVONBRIESEN:IJM

APPROVED BY SCA/VO:JEOLENIK

INS/CO:TJBROBSON

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R 111836Z NOV 76

FM SECSTATE WASHDC

TO USLO PEKING

AMCONSUL HONG KONG

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VISAS

E.O. 11652: N/A

TAGS:CVIS, CH

SUBJECT: IV ISSUANCE IN PEKING

REF: PEKING 1182, STATE 173069

1. AFTER REVIEW OF THE MATTER IN THE DEPARTMENT, USLO IS NOW AUTHORIZED TO ISSUE IMMIGRANT VISAS AT SUCH TIME AS PERSONAL INTERVIEWS IN THE PRC BECOME POSSIBLE AND WHEN IT BECOMES POSSIBLE TO CARRY OUT PERTINENT PROVISIONS OF INA AND REGULATIONS. HOWEVER, IN THE ABSENCE OF ANY RELAXATION IN EXISTING CHINESE CONSTRAINTS THAT PREVENT PROSPECTIVE IMMIGRANTS TO THE US FROM PURSUING THEIR IV APPLICATIONS IN THE PRC, ALL IMMIGRANT CASES WILL CONTINUE TO BE REFERRED TO HONG KONG, AND PEKING WILL NOT BE LISTED IN APPENDIX E AS AN IV ISSUING POST.

2. WE HAVE NOT MADE ANY DECISION AS TO HOW WE WOULD HANDLE  
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THE ISSUE OF MEDICAL EXAMS FOR ANY IV APPLICANTS AND WOULD WELCOME YOUR THOUGHTS.

3. IN THE PAST, THE DEPT USED THE FOLLOWING IN PUBLIC AND CONGRESSIONAL CORRESPONDENCE, "SINCE THE UNITED STATES LIAISON OFFICE IN PEKING DOES NOT ISSUE IMMIGRANT VISAS, IT IS NECESSARY TO EXIT THE PRC IN ORDER TO APPLY FOR

THAT TYPE OF VISA." DEPT NOW PLANS TO SUBSTITUTE THE FOLLOWING LANGUAGE, "US LAW REQUIRES AN AMERICAN OFFICER TO CONDUCT A PERSONAL INTERVIEW WITH AN APPLICANT BEFORE ISSUING AN IMMIGRANT VISA. IF AN APPLICANT IS UNABLE TO OBTAIN PERMISSION FROM THE PRC AUTHORITIES FOR SUCH AN INTERVIEW AT THE UNITED STATES LIAISON OFFICE IN PEKING, THE APPLICANT WILL HAVE TO EXIT THE PRC TO APPLY FOR AN IMMIGRANT VISA. THUS FAR, NO SUCH INTERVIEWS HAVE TAKEN PLACE."

4. FOR HONG KONG: CONSULATE GENERAL IS REQUESTED TO TRANSFER TO USLO SUFFICIENT FORMS AR-4, FS-398, FS-499, FS-510, FS-511, I-151, PACKETS AND INFORMATION SHEETS FOR THE PROCESSING OF TWENTY (20) IMMIGRANT VISAS. DEPT ASSUMES PEKING HAS SUFFICIENT FORMS I-130 ON HAND OR WILL ORDER THEM AS NEEDED. IF USLO HAS SUDDEN OPPORTUNITY TO ISSUE IV FOR WHICH APPROVED PETITION HELD IN HONG KONG, LATTER MAY, IF NECESSARY, SEND PETITION INFORMATION (SUCH AS CONTAINED IN VISAS FORTY THROUGH FORTY-SIX MESSAGES) TELEGRAPHICALLY WHILE AT THE SAME TIME FORWARDING ACTUAL PETITION BY POUCH. USLO WOULD THEN ACT IN ACCORDANCE 22 CFR 42.124 P.N. 5.5 EXCEPT THAT PETITION SHOULD BE SENT TO DISTRICT OFFICE HAVING JURISDICTION OVER PLACE OF PROPOSED RESIDENCE. KISSINGER

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